

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

*IN RE: ETHICON, INC., PELVIC  
REPAIR SYSTEM PRODUCTS  
LIABILITY LITIGATION*

*MDL NO.: 2327*

***THIS DOCUMENT RELATES ONLY TO:  
YVONNE SEMERE  
V. ETHICON, INC., ET AL***

**SDWV NO. 2:12-MD-02327**

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**MOTION TO TERMINATE AND SUBSTITUTE COUNSEL OF RECORD**

NOW INTO COURT, through undersigned counsel, comes the plaintiff, YVONNE SEMERE, who respectfully moves this Honorable Court to issue an order that BARRY L. DOMINGUE be terminated as counsel, and that KEVIN R. DUCK be substituted in his stead as counsel for her in these proceedings and sets forth the following:

1.

The plaintiff, YVONNE SEMERE, is currently being represented in these proceedings by CLE SIMON and BARRY L. DOMINGUE.

2.

Counsel, BARRY L. DOMINGUE, is now deceased.

3.

The plaintiff desires that KEVIN R. DUCK, DUCK LAW FIRM, LLC be named as lead counsel in the stead of the now deceased BARRY L. DOMINGUE.

4.

CLE SIMON will also remain as counsel on behalf of plaintiff.

5.

The plaintiff, YVONNE SEMERE, moves this Honorable Court to issue an order terminating BARRY L. DOMINGUE as counsel, and substituting KEVIN R. DUCK as lead counsel, in his stead, in addition to current counsel in these proceedings, CLE SIMON.

6.

Further, the plaintiff, YVONNE SEMERE, moves this Honorable Court to substitute the Notice of Appearance submitted by BARRY L. DOMINGUE, and accept for filing the attached Notice of Appearance of KEVIN R. DUCK, DUCK LAW FIRM, L.L.C. in its stead.

WHEREFORE the plaintiff, YVONNE SEMERE, prays that this pleading be duly filed and that this Honorable Court issue an order providing the relief requested herein.

Respectfully submitted by:

DUCK LAW FIRM, L.L.C.

*Kevin R. Duck*

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LEAD COUNSEL FOR PLAINTIFF,  
YVONNE SEMERE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been duly served upon the following counsel of record in this matter on this 19<sup>th</sup> day of May, 2014.

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and Urology, Ethicon, Inc. And Johnson & Johnson**

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*Kevin R. Duck*

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Kevin R. Duck